

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
The Technological Transition of the Nation's	)	GN Docket No. 12-353
Communications Infrastructure	)	

**REPLY COMMENTS OF COMCAST CORPORATION**

Comcast Corporation and its affiliates (“Comcast”) hereby submit these reply comments to the Federal Communications Commission (“FCC” or “Commission”) in response to the Public Notice released by the Wireline Competition Bureau in the above-captioned proceeding.<sup>1</sup>

Comcast files this reply to address two issues. First, Comcast agrees with commenters that the Commission should encourage incumbent local exchange carriers (“ILECs”) to upgrade from Time Division Multiplexing-based (“TDM-based”) to Internet Protocol-based (“IP-based”) networks and encourage ILECs and voice providers with which they interconnect to experiment during this evolutionary period with various types of transition trials. Second, Comcast is compelled to correct Public Knowledge’s blatant mischaracterization of Comcast’s initial comments to make clear that Comcast’s comments did not advocate a “complete deregulation of the phone network.”<sup>2</sup>

In its initial comments, Comcast stressed that the IP transition, and achieving IP-to-IP interconnection, are critically important and any trials that help move the industry toward that future should be encouraged. That is especially true because interconnection over IP networks

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<sup>1</sup> *Pleading Cycle Established on AT&T and NTCA Petitions*, GN Docket No. 12-353, Public Notice, DA 12-1999 (rel. Dec. 14, 2012).

<sup>2</sup> Letter from Jodie Griffin, Public Knowledge, to Marlene H. Dortch, FCC Secretary, GN Docket No. 12-353, at 3 (Feb. 18, 2013) (“Public Knowledge Ex Parte Letter”).

may be very different (in technology, models, location, cost, etc.) from legacy voice interconnection, and those models should be permitted to develop without premature regulation – and particularly without reflexive application of potentially ill-fitting legacy interconnection rules as NTCA proposes.

Moreover, the marketplace is inexorably moving parties toward IP interconnection; indeed, Comcast has an IP network and it and many service providers already are interconnecting their voice networks on an IP-to-IP basis. Accordingly, Comcast noted that there is no reason for the Commission to rush in prematurely to dictate how IP interconnection takes place, especially when doing so could do harm by undermining some models, deterring innovation, creating unforeseen arbitrage opportunities that may be hard to correct, and risking regulatory slippage into regulating the Internet backbone. This is hardly a controversial position.<sup>3</sup> Only a few months ago, Chairman Genachowski recognized that “the ongoing changes in [the] nation’s communications networks require a hard look at many rules that were written for a different technological and market landscape.”<sup>4</sup>

Of course, none of what Comcast said in its comments supports Public Knowledge’s claim that Comcast’s comments called for a “complete deregulation of the phone network.”<sup>5</sup> To

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<sup>3</sup> See, e.g., Comments of AT&T at 10 (“AT&T disagrees, however, with NTCA’s suggestion that the Commission should ‘retain[] and reassert[]’ the ‘regulatory foundation’ in place today while taking its time to ‘examine each brick’ of that foundation in the abstract.”); Comments of Verizon and Verizon Wireless at 3, 21-22 (the Commission “should not import its legacy regulatory framework”). (Unless otherwise indicated, all comments cited herein were filed in GN Docket No. 12-353 on January 28, 2013.)

<sup>4</sup> *FCC Chairman Julius Genachowski Announces Formation of ‘Technology Transitions Policy Task Force’*, News Release, at 1 (rel. Dec. 10, 2012), [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db1210/DOC-317837A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db1210/DOC-317837A1.pdf) (“Task Force News Release”).

<sup>5</sup> Public Knowledge Ex Parte Letter at 3. Public Knowledge set forth an even more hyperbolic series of erroneous allegations regarding Comcast’s comments in a recent website posting. Harold Feld, *Comcast’s Very Scary PSTN Filing*, Public Knowledge Policy Blog (Feb. 14, 2013), <http://publicknowledge.org/blog/comcasts-very-scary-pstn-filing>. These spurious

be clear, Comcast stated in its initial comments that government intervention to regulate IP-to-IP voice interconnection arrangements at this time would be premature and ill-advised.<sup>6</sup> Comcast continues to support that position for the reasons outlined above. Comcast's counsel regarding a cautious approach in taking on a regulatory framework for a nascent, complex interconnection marketplace at this early stage was not premised on some broader jurisdictional argument – and was certainly not focused on distinct questions of the regulation of VoIP services themselves, or the various public interest, safety, and reliability concerns Public Knowledge references.

Comcast did not propose the elimination of, or for that matter any specific changes to, the rules that currently govern the provision of voice services, other than to endorse the Chairman's view that the Commission should not blindly apply all of those rules to an all-IP voice world without careful consideration.<sup>7</sup> In short, notwithstanding the apparently subliminal messaging Public Knowledge has for some reason chosen to ascribe to its comments, Comcast did not advocate for and has not advocated for complete deregulation of voice service when the transition from TDM to IP by the ILECs is completed.

Indeed, given the company's long-standing advocacy regarding the regulatory obligations of VoIP service providers, Comcast simply could not advocate for deregulation. It is noteworthy that Public Knowledge points to no specific language in Comcast's comments that supports its allegations. That is not surprising because Comcast nowhere stated or suggested in its initial comments or at any other time that the emergence of an all-IP world would relieve Comcast and

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claims, which seem more designed to draw attention than to lead to meaningful discussion, are without merit. As outlined herein, Comcast does not envision an all-IP world as a "Libertarian Nirvana" and its initial comments in this proceeding certainly do not indicate that it seeks a regulatory landscape with "no rules."

<sup>6</sup> Comments of Comcast Corporation at 5-7.

<sup>7</sup> *Id.* at 3-4.

other VoIP service providers of their existing public interest obligations. In fact, Comcast has complied with the wide array of public interest requirements imposed on VoIP service providers by the Commission without objection and will continue to meet its obligations after the ILECs' TDM-IP transition has been completed.<sup>8</sup> For example, to advance the Commission's public safety goals, Comcast's interconnected VoIP service provides consumers access to 911/E911 capabilities, and Comcast fully cooperates with law enforcement pursuant to the Communications Assistance for Law Enforcement Act. Comcast ensures that disabled individuals are able to obtain access to Comcast's interconnected VoIP service by complying with the requirements of section 255 of the Communications Act of 1934 as well as applicable provisions of the Twenty-First Century Communications and Video Accessibility Act, and by offering access to telecommunications relay service. Comcast also complies with a variety of other ongoing regulatory obligations, such as the requirements to contribute to the Universal Service Fund, to protect customer proprietary network information, to port telephone numbers promptly, and to report network outages.

Contrary to the self-serving, inflammatory claims of Public Knowledge, Comcast believes that such obligations should not be affected by the transition of ILEC networks to an all-IP world. Simply stated, the Commission should ignore Public Knowledge's ill-conceived and erroneous arguments and concentrate its efforts on the key task at hand – adopting an

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<sup>8</sup> Notably, Comcast has never appealed or challenged the Commission's authority to impose these and other public interest requirements. To the contrary, Comcast consistently has supported these efforts by, for example, offering local number porting and contributing to the federal Universal Service Fund before it was required to do so by the Commission.

approach to the emerging IP world that “encourages the technological transition, empowers and protects consumers, promotes competition, and ensures network resiliency and reliability.”<sup>9</sup>

Respectfully submitted,

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<sup>9</sup> Task Force News Release at 1.